



# Town of Carlisle

MASSACHUSETTS 01741

## Office of PLANNING BOARD

### MINUTES

Meeting of March 9, 1987

Present: Sherr, Davis, Raftery and Sillers

#### Public Hearing on Zoning Bylaw Changes

The public hearing opened at 8:30 P.M.

#### Street Corner Clearance, 4.B.3.

Richard Hale indicated that his corner is a blind spot specifically mentioned (at Acton and West Streets). He believes his bushes give him needed privacy from passing motorists with whom he would undoubtedly be more familiar if the bushes were removed. He does not want his property to change. Mrs. Hale indicated that they do try to cut the bushes back to some degree in order to improve vision at the intersection. She indicated that the school buses are the worst offenders violating the stop sign.

#### Junk

The proposal is to delete the existing zoning bylaw and make the bylaw a general bylaw. No questions were asked by the public.

#### Side and Rear Setbacks, 4.C.1 and 4.C.2.

The Bylaw Committee indicated that detached accessory buildings can be 10 feet from the lot line. Two car garages attached to a dwelling must be 40 feet from a lot line, but by merely separating the garage by an inch or two, a garage could be set back only 10 feet. Previously, "accessory" building was not defined. Mark Louargand of 801 North Road asked about existing setback requirements and the proposal. No other questions were asked.

#### Guest Houses

The proposal is to delete "family guest houses" from existing zoning bylaw in order to eliminate ambiguities concerning the definition and to address what happens when family does not live there any longer. Zoning requirements are basically aimed at one family per two acres. "Family guest house" presents a loophole through which multiple family occupancy has been achieved. Mr. Louargand was concerned about the accuracy of the assessors' records concerning existing guest houses. He also expressed an opinion that guest houses are the prime source of low cost housing stock. Other issues are (1) foreclosure of elderly residents from remaining in the Town by having children occupy the primary residence, (2) imposition of a de facto architectural control where "Deck House" structures cannot easily have guest quarters, (3) dabbling in

social engineering and (4) elimination of a place to house domestic help or to house town workers or people of similar economic status. The latter point he views as discrimination. The Bylaw Committee disagreed. It felt that "family guest house" and its ambiguities should be eliminated. Bobby Lyman stated that the Board of Health regulations defines family guest house as one without a kitchen. Wendy Wallerstein suggested that the two acre lot should be reduced instead, or that domestic help housing should be expanded to include families. The Bylaw Committee decided not to address issues that the Housing Committee is in the process of study. The colloquy between the Bylaw Committee and the public dealt with affordable housing, the Housing Committee, and the domestics versus family housing issue. The nub of the issue is the non-rented family guest house. A question concerning Board of Health approval of a guest house arose; ensued was a philosophical discussion of single lot approval of a guest house vis-a-vis the macroscopic approach of two-acre zoning overall. Needless to say, little, if any consensus emerged. At a point the discussion turned back to whether the true issue is an enforcement problem under the current bylaw. To rent or not to rent is a separate issue according to Wendy Wallerstein, but an installation of a second septic system mby create a substantially more adverse impact on the water supply, the reason for two-acre zoning.

#### Greenhouses, 3.B.1.g.

The proposal is to limit the size of agricultural buildings on lots less than five acres. Mark Phillippo queried concerning the process of recommending a bylaw change. The Bylaw Committee described the process and, turning to the bylaw proposal, indicated that this proposal was to correct an ambiguity in the existing bylaw. Mr. Phillippo felt that virtually all barns which are prominent in town are in excess of 2000 square feet and that accessory buildings greater than 2000 square feet may be built with a building permit if not designated agricultural in use. The effect, he says, discriminates. He suggested that the bylaw should just prohibit greenhouses. He believes that the effect of the bylaw is intended to discriminate against him. Bobby Lyman asked if subsequent subdivision was considered. Yes, was the response, but it was felt that there was little, if any, control over that situation. The Bylaw Committee indicated that it did not single out Mr. Phillippo for discriminatory treatment. Again, cogent discussion became philosophical exchange about agricultural versus residential use of property and the intrinsic value of agricultural use to neighborhoods and their character. This bylaw, if enacted, could severely restrict the ability to promote agricultural use. Ms. Wallerstein opined amazement at a view she perceived that the Committee wanted to restrict horses. It was explained that view was not the Committee's view, but was only the fancy of one member who admits that his opinion was largely ignored by his fellow committee people.

#### Signs, 3.B.1.(i)

This proposal is intended to limit sign size and to move the section from one place to another. The language of the present bylaw will not change. No comment of significance was made.

#### Lights, 3.F)

No changes have been made, merely renumbering.

Definitions - Section 1.

The proposal is to move the definitions from Section 10 to 1 and to add definitions of side and rear lot lines. No questions were asked.

The public hearing closed at 9:58 P.M.

ANR - Paul Smith, Martin Street

The plan was prepared by William J. Skane, dated October 9, 1986 for Paul E. and Annie C. Smith. The motion was made to approve and seconded and then unanimously approved by the Board.

ANR - Spencer Brook Realty Trust, Concord Street

A plan drawn by Stamski and McNary dated March 9, 1987 for Spencer Brook Realty Trust showing Lots 1A, 2A, 3A, 4A and 5A. The plan appears to show a zoning bylaw violation. A copy of the plan will be sent to the building inspector with a note showing the violation. A motion was made to approve the plan, duly seconded, it passed.

Respectfully submitted,

Thomas J. Raftery